

# **COLCHESTER PLANNING COMMISSION**

## **MINUTES OF THE MEETING**

**MAY 18, 2010**

**PRESENT:** Tom Mulcahy, Rich Paquette, Pam Loranger, Tim Ahonen and Bob Scheck

**ALSO PRESENT:** Sarah Hadd, Director

### **1. Call to Order**

T. Mulcahy meeting was called to order at 7:03 p.m.

### **2. Discussion of Supplement 29 Zoning PUD Regulations**

S. Hadd recalled that several requests were received to amend the Planned Unit Development (PUD) Standards to decrease the minimum lot size. This would have the effect of creating more effective in-fill developments on smaller lots. Planned Unit Developments allow the Development Review Board to consider waivers of lot frontage and setbacks as well as more than one principal building per lot. While these waivers are not “by-right” and the Board requires buffering, additional landscaping or other design modifications, and possibly more amenities such as recreational components in exchange for waivers, the opportunity to have lot frontage and some setbacks waived is attractive to property owners.

S. Hadd provided the Commission with recommendations for their review for changes to the PUD Regulations. The following is a summary of the changes proposed:

1. Delete the minimum acreage requirement for PUD’s in Section 9.01C(3). Most peer towns such as South Burlington do not have a minimum acreage requirement but rather sometimes instead require PUD’s in certain situations. This would allow for more creative designs for infill sites by perhaps stacking development on a lot instead of doing traditional subdivisions for smaller lots in which minimum lot frontage requirement push everything up along the road. There were requests submitted to the Commission that have promulgated this proposed change.
2. Change to 9.01C(4 now 3) to do away with the requirement for a density plan with each application. Historically, the applicant has been required to show that the new units could be laid out in full conformance with the lot dimensional requirements for the district. Once this was done, whatever number of lots could be laid out in conformance was the number of units that could be built in the PUD and the applicant was allowed to cluster the approved number of units and not adhere to the dimensional requirements. Most other Towns, including South Burlington and Essex, use a simple numeric formula to derive the number of allowed units: 40 acres in the R1 District (1 unit / acre) would be allowed 40 units. In recent history, the density plan and the numeric formula do not appear to yield any different results and staff feels that this is now an unnecessary step in the development review process.

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3. Clarify Section 9.01C(5 now 4) to specify Class II and III wetlands and floodplains instead of “wet areas and soils unsuitable for development”. This lack of specificity in the current regulations is the source of current litigation.
4. Specify in Section 9.01C(9 now 8) that the PUD buffer of 50 feet is for residential district and not commercial. Recently the Development Review Board (DRB) considered a PUD at the Exit 16 area that could not accommodate the 50 foot buffer and there was discussion about whether or not the buffer should be applied to commercial sites particularly in areas in which dense development is encouraged as well as interrelations between neighboring sites. Staff has proposed the language enclosed in an attempt to address this issue as Staff does not feel that 50 foot buffers between uses is beneficial with regard to the COM, BD, IND, and GD districts.
5. Section 9.01D(1) delete GD District to clearly state that the waiver of dimensional standards, not just setbacks, is applicable to all districts per current practice of the DRB.

T. Mulcahy discussed the difficulty in visualizing what impact the proposed changes would have on the Town and where those changes would occur because he believes the proposal is a major change. P. Loranger agreed with T. Mulcahy and said she would like to have a visual to see what kind of impact the change could have on the Town.

The Commission decided to review the proposed changes item by item skipping the proposed change to 9.01C(3) and discussing the issue of density plans.

S. Hadd explained to the Commission the difference between a traditional subdivision and a Planned Unit Developments as well as discussed the redundancy a density plan. The Commission discussed density plans and requested visuals. S. Hadd stated that a sample density plan and PUD would be submitted in the next packets.

The Commission next discussed the proposed changes to Class II and III wetlands and floodplains areas and expressed agreement with the proposed change. The Commission then discussed the PUD buffer and perhaps specifying that the PUD buffer should only be applicable to the Residential Districts. It was discussed that the “up to 50 feet” provision provided disconnect between applicants and the Development Review Board as the Board. S. Hadd stated that the proposed changes were brought forward by Staff to clarify the intent of the COM, BD, IND, and GD District as being higher intensity uses that should not have uses isolated from each other. S. Hadd recommended that the DRB be given a chance to review and comment. T. Mulcahy requested that the DRB weigh in and explain why a 50 foot buffer was needed for such projects as the Hampton Inn. There was discussion about open space requirements however since there did not seem to be any current concerns other than Attorney Hall’s it did not need changes.

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The Commission discussed changes to 9.01D(1)(b) and 9.01D(3)(b) and was generally in agreement with the changes. The Commission discussed the rest of the proposed changes from Attorney Hall and stated that if the Commission was to consider changes to setbacks of pumps from property lines per Section 5.03 then Attorney Hall should present visuals for the Commission to consider. It was also suggested that the Fire Chiefs weigh in on gas pump setbacks per the Fire Regulations (Chapter Seven of the Colchester Code of Ordinances). There was also discussion about the PUD minimum acreage and it was requested that a few sites should be provided to the Commission for individual site visits to see what PUDs and traditional subdivisions look like. The Commission would also like to see potential five acre pieces within the Town. The Commission then discussed rezoning and not knowing the full ramifications to zoning changes at this time.

### **3. Minutes of May 4, 2010**

A **motion** was made by P. Loranger and **seconded** by R. Paquette to approve the minutes of May 4, 2010. The **motion passed** with a vote of 5 – 0.

### **4. Review Future Agendas**

Next Meeting: June 1, 2010

The next meeting will continue the discussion of PUDs and will postpone the mobile home discussion. The Commission agreed to review position changes to Subdivision Regulations at the next meeting.

### **5. Packet Information**

P. Loranger spoke about the Colchester Heritage Project and the need for updates. T. Mulcahy said that he would provide an update at the next Commission meeting.

The Commission reviewed packet information.

### **ADJOURNMENT**

There being no further business to be brought before the Commission, a motion was made and seconded to adjourn the meeting. All members of the Commission present voted in favor of the motion and the meeting was adjourned at 9:13 p.m.

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Minutes taken and respectfully submitted by Lisa Riddle.

Approved this 1st day of June 2010

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